

projects selected, in progress, and completed under this chapter that comprise those acres;

(2) information from the database established under section 2906(b) of this title related to ongoing monitoring of projects to ensure that short-term and long-term restoration goals are achieved;

(3) an estimate of the long-term success of varying restoration techniques used in carrying out estuary habitat restoration projects;

(4) a review of how the information described in paragraphs (1) through (3) has been incorporated in the selection and implementation of estuary habitat restoration projects;

(5) a review of efforts made to maintain an appropriate database of restoration projects carried out under this chapter; and

(6) a review of the measures taken to provide the information described in paragraphs (1) through (3) to persons with responsibility for assisting in the restoration of estuary habitat.

(Pub. L. 106-457, title I, §108, Nov. 7, 2000, 114 Stat. 1965.)

§ 2908. Funding

(a) Authorization of appropriations

(1) Estuary habitat restoration projects

There is authorized to be appropriated to the Secretary for carrying out and providing technical assistance for estuary habitat restoration projects—

(A) \$40,000,000 for fiscal year 2001;

(B) \$50,000,000 for each of fiscal years 2002 and 2003;

(C) \$60,000,000 for fiscal year 2004; and

(D) \$75,000,000 for fiscal year 2005.

Such sums shall remain available until expended.

(2) Monitoring

There is authorized to be appropriated to the Under Secretary for Oceans and Atmosphere of the Department of Commerce for the acquisition, maintenance, and management of monitoring data on restoration projects carried out under this chapter, \$1,500,000 for each of fiscal years 2001 through 2005. Such sums shall remain available until expended.

(b) Set-aside for administrative expenses of the Council

Not to exceed 3 percent of the amounts appropriated for a fiscal year under subsection (a)(1) of this section or \$1,500,000, whichever is greater, may be used by the Secretary for administration and operation of the Council.

(Pub. L. 106-457, title I, §109, Nov. 7, 2000, 114 Stat. 1965.)

§ 2909. General provisions

(a) Agency consultation and coordination

In carrying out this chapter, the Secretary shall, as necessary, consult with, cooperate with, and coordinate its activities with the activities of other Federal departments and agencies.

(b) Cooperative agreements; memoranda of understanding

In carrying out this chapter, the Secretary may—

(1) enter into cooperative agreements with Federal, State, and local government agencies and other entities; and

(2) execute such memoranda of understanding as are necessary to reflect the agreements.

(c) Federal agency facilities and personnel

Federal agencies may cooperate in carrying out scientific and other programs necessary to carry out this chapter, and may provide facilities and personnel, for the purpose of assisting the Council in carrying out its duties under this chapter.

(d) Identification and mapping of dredged material disposal sites

In consultation with appropriate Federal and non-Federal public entities, the Secretary shall undertake, and update as warranted by changed conditions, surveys to identify and map sites appropriate for beneficial uses of dredged material for the protection, restoration, and creation of aquatic and ecologically related habitats, including wetlands, in order to further the purposes of this chapter.

(e) Study of bioremediation technology

(1) In general

Not later than 180 days after November 7, 2000, the Administrator of the Environmental Protection Agency, with the participation of the estuarine scientific community, shall begin a 2-year study on the efficacy of bioremediation products.

(2) Requirements

The study shall—

(A) evaluate and assess bioremediation technology—

(i) on low-level petroleum hydrocarbon contamination from recreational boat bilges;

(ii) on low-level petroleum hydrocarbon contamination from stormwater discharges;

(iii) on nonpoint petroleum hydrocarbon discharges; and

(iv) as a first response tool for petroleum hydrocarbon spills; and

(B) recommend management actions to optimize the return of a healthy and balanced ecosystem and make improvements in the quality and character of estuarine waters.

(Pub. L. 106-457, title I, §110, Nov. 7, 2000, 114 Stat. 1966.)

CHAPTER 43—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS

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SUBCHAPTER I—GENERAL PROVISIONS

§ 3001. Commissioned officer corps

There shall be in the National Oceanic and Atmospheric Administration a commissioned officer corps.

(Pub. L. 107-372, title II, §211, Dec. 19, 2002, 116 Stat. 3082.)

SHORT TITLE

Pub. L. 107-372, title II, §201, Dec. 19, 2002, 116 Stat. 3082, provided that: “This title [enacting this chapter, amending section 1406 of Title 10, Armed Services, and section 2396 of Title 22, Foreign Relations and Inter-course, repealing sections 853a to 853l, 853o, 853p to 853r, 853t to 854, 855, 856 to 857-5, 858, 864, and 874 of this title, amending provisions set out as a note under section 1293 of Title 10, and repealing provisions set out as notes under sections 853a and 857-1 of this title and section 101 of Title 38, Veterans’ Benefits] may be cited as

the ‘National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002.’”

§ 3002. Definitions

(a) Applicability of definitions in title 10

Except as provided in subsection (b) of this section, the definitions provided in section 101 of title 10 apply to the provisions of this chapter.

(b) Additional definitions

In this chapter:

(1) Active duty

The term “active duty” means full-time duty in the active service of a uniformed service.

(2) Grade

The term “grade” means a step or degree, in a graduated scale of office or rank, that is established and designated as a grade by law or regulation.

(3) Officer

The term “officer” means an officer of the commissioned corps.

(4) Flag officer

The term “flag officer” means an officer serving in, or having the grade of, vice admiral, rear admiral, or rear admiral (lower half).

(5) Secretary

The term “Secretary” means the Secretary of Commerce.

(6) Administration

The term “Administration” means the National Oceanic and Atmospheric Administration.

(Pub. L. 107-372, title II, §212, Dec. 19, 2002, 116 Stat. 3082.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title II of Pub. L. 107-372, Dec. 19, 2002, 116 Stat. 3082, which is classified principally to this chapter. For complete classification of this title to the Code, see Short Title note set out under section 3001 of this title and Tables.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 857-1 of this title prior to repeal by Pub. L. 107-372.

§ 3003. Authorized number on the active list

(a) Annual strength on active list

The annual strength of the commissioned corps in officers on the lineal list of active duty officers of the corps shall be prescribed by law.

(b) Lineal list

The Secretary shall maintain a list, known as the “lineal list”, of officers on active duty. Officers shall be carried on the lineal list by grade and, within grade, by seniority in grade.

(Pub. L. 107-372, title II, §213, Dec. 19, 2002, 116 Stat. 3083.)

§ 3004. Strength and distribution in grade

(a) Relative rank; proportion

Of the total authorized number of officers on the lineal list of the commissioned corps, there